

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 17, 2003

DIVISION ONE

B147478 Eshaghian et al.
v.
Ghodsi et al.

Filed order modifying opinion. Petitions for rehearing is denied. (No change in the judgment)

DIVISION TWO

B158893 People (Not for Publication)
v.
Williams

The Court:

The appeal is dismissed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B155204 People (Not for Publication)
v.
McGuire

The judgment is reversed and remanded for a new trial.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

April 17, 2003 (Continued)

DIVISION TWO (Continued)

B156365 Hutters
v.
Keese

(Not for Publication)

The judgment is affirmed. Keesee shall recover her costs on appeal.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.
Doi Todd, J.

B153994 Amalgamated Transit Union Local 1277
v.
Los Angeles County Metropolitan Transportation Authority

Filed order denying petition for rehearing.

DIVISION THREE

B155208 Camilla Kostic
v.
Trammell Crow Company

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and S. Veverka, Deputy Clerk.

Each of the following:

B164758 Michael S. v. S.C.L.A.
B154789 People v. Lopez et al.
B157859 People v. Nieto
B161502 D.C.F.S. v. Lesbia P.

Argument waived, cause submitted.

DIVISION FOUR (Continued)

B159391 Denver D. Darling, Inc.

v.

Controlled Environments Construction, Inc., et al.

Merits:

Argued by Richard W. Millar, Jr. for appellants and by Steven T. Graham for respondent. Cause submitted.

B153845 Sun Ace, Inc.

v.

Sulmeyer, Kupetz, etc., et al.

Merits:

Argued by Henry T. Heuer for appellant and by Douglas J. Collodel for respondents. Cause submitted.

B160121 People

v.

Muhammad

Lopez

Merits:

Argued by Brentford J. Ferreira for appellant and by Brenda L. McCormick for respondent. Cause submitted.

B156626 Tower Insurance Associates, et al.

v.

McAnany, et al.

Merits:

Argued by Mary Kay Reynolds for appellants and by Amanda McClintock for respondents. Cause submitted.

B160021 In re Beltran on Habeas Corpus

Merits:

Argued by Norton Tooby for petitioner and by Michael R. Johnsen for respondent. Cause submitted.

April 17, 2003 (Continued)

DIVISION FOUR (Continued)

Court recessed.

Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and S. Veverka, Deputy Clerk.

Each of the following:

B161112 People v. Miron
B157761 People v. Jeter
B132070 People v. Nuth

Argument waived, cause submitted.

B158234 People
 v.
 Russell

Merits:
Argued by Judith Vitek for appellant and by David F. Glassman for respondent. Cause submitted.

B157255 Chillis
 v.
 Shield Security, Inc.

Merits:
Lena J. Marderosian appearing for respondent who waives argument. Appellant previously waived argument. Cause submitted.

B154871 Willoughby
 v.
 Willoughby

Merits:
Argued by Robert A. Fairfield for appellant. Respondent previously waived oral argument. Cause submitted.

April 17, 2003 (Continued)

DIVISION FOUR (Continued)

B160236 London
v.
Hauch

Merits:
Argued by Joel Drum for appellant and by Barbara E. Dunn for respondent.
Cause submitted.

B158161 Dodi
v.
America Online, Inc., et al.

Merits:
Argued by Edwin D. Haussman for appellant and by Timothy B. McCaffrey, Jr. for respondents. Cause submitted.

Court adjourned.

B163006 James B (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition for extraordinary writ is denied. This decision shall become final as to this court immediately upon its filing. (Cal. Rules of Court, rule 24(b).)

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

DIVISION FIVE

B157323 Continental Insurance Co. (Not for Publication)
 v.
 Columbus Line, Inc.

The judgment is reversed. Appellant(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B159856 People (Not for Publication)
 v.
 Billy Rodgers

The appeal is dismissed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Mosk, J.

B162934 People (Not for Publication)
 v.
 Keith Russell

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
 Armstrong, J.

B160515 Los Angeles County, D.C.S.
 v.
 Guadalupe G.

Filed order denying mother's joinder to father's petition for rehearing.

April 17, 2003 (Continued)

DIVISION FIVE (Continued)

B165242 People (Not for Publication)
v.
Gregory Tarver

The appeal is dismissed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B162919 People (Not for Publication)
v.
Lennal Shabazz

The judgment is modified to reflect no presentence custody credits. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B156569 John Almaraz (Not for Publication)
v.
County of Los Angeles et al.

The judgment is affirmed. Respondents are award their costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Mosk, J.

April 17, 2003 (Continued)

DIVISION FIVE (Continued)

B155940 Thomas A. Ayala (Not for Publication)
v.
Wendy Hatch Osterholt

The orders under review are affirmed in all respects. Wendy Hatch Osterholt, in her capacity as conservator of the estate of Louise A. Ayala, is entitled to costs on appeal from Thomas A. Ayala.

Turner, P.J.

We concur: Grignon, J.
Mosk, J.

(Not for Publication)

B162452 Long Beach Community College District
v.
The Superior Court of Los Angeles County
John H. Turner, et al.

A peremptory writ of mandate is to issue directing the respondent court to enter a new order sustaining the demurrer to the fifth cause of action without leave to amend. Defendant, Long Beach Community College District, is to recover its costs incurred in connection with these extraordinary writ proceedings jointly and severally from plaintiffs.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B155669 Yanz & Hertz (Not for Publication)
v.
Glenn Elliot Beckner

The judgment is affirmed. Each party to bear their own costs.

Mosk, J.

We concur: Turner, P.J.
Armstrong, J.

April 17, 2003 (Continued)

DIVISION SIX

B161365 People (Not for Publication)
v.
Boyd

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

[illegible]

We remand for the trial court to determine whether the offense is a misdemeanor or a felony. In all other respects, the judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B154807 Yates (Not for Publication)
v.
Jackson, et al.

We reverse the judgment as to the cause of action for quiet title based on adverse possession. In all other respects we affirm. Costs are awarded to appellant.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B164549 Wilson
v.
Etchevery, et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed 1-27-03) dismissed.

April 17, 2003 (Continued)

DIVISION SEVEN

[illegible]

The judgment of conviction in counts 1 and 2 are reversed. The judgment of conviction in count 3 is affirmed.

Munoz, J. (Assigned)

We concur: Johnson, Acting P.J.
Woods, J.

B158799 People (Not for Publication)
v.
Grigorian

The judgment is affirmed.

Munoz, J. (Assigned)

We concur: Perluss, P.J.
Johnson, J.

B156198 People (Not for Publication)
v.
V.C., a minor

The order under review is affirmed.

Munoz, J. (Assigned)

We concur: Johnson, Acting P.J.
 Woods, J.

April 17, 2003 (Continued)

DIVISION SEVEN (Continued)

[illegible]

The judgment as modified is affirmed. The superior court is directed to prepare an amended abstract of judgment to show appellant's true name, date of birth and correct sentencing enhancements, as well the restitution and parole revocation fines imposed by the trial court.

Munoz, J. (Assigned)

We concur: Perluss, P.J.
Johnson, J.

DIVISION EIGHT

B165308 Mitchell, et al. (Not for Publication)
v.
Superior Court, Los Angeles County
(Tong etc., et al., r.p.i.)

The Mitchells' petition is granted. Let a peremptory writ of mandate issue directing the respondent trial court to (1) vacate its order of March 3, 2003, denying relief for the Mitchells' statutory waiver of jury trial, and (2) issue a new order granting the requested relief. The order granting relief may be on "just terms," including, without limitation, the imposition of costs. The Mitchells are awarded their costs on this writ proceeding.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.